Case 1:01-cv-12257-PBS Document 323 Filed 01/13/03 Page 1 01/10/10/10

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MASSACHUSETTS

IN RE: PHARMACEUTICAL INDUSTRY) AVERAGE WHOLESALE PRICE LITIGATION )	MDL No. 1456  CIVIL ACTION: 01-CV-12257-PBS  Judge Patti B. Saris
THIS DOCUMENT RELATES TO: ) ALL ACTIONS )	

# NOTICE TO COURT AND ALL COUNSEL OF RECORD OF SUSPENSION AND ENTRY OF APPEARANCE

COMES NOW attorney Michael J. Flannery, and informs the Court of the suspension by the Missouri Supreme Court of Joseph Danis and John Carey, formerly of Carey & Danis, LLC, and hereby re-enters his appearance for Plaintiffs with The David Danis Law Firm, P.C.

Respectfully submitted,

Dated: January 8, 2003

THE DAVID DANIS LAW FIRM, P.C.

Michael J. Flannery

8235 Forsyth Blvd., Suite 1100

St. Louis, MO 63105 Phone: (314) 725-7700

Fax: (314) 721-0905

EYe&d\AWP\PLEADING\MDL Firm Name Change.wpd

## **CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing was mailed, First Class Mail, to the attorneys on the attached Service List on this day of January, 2003.

#### MDL 1456 AWP MASTER SERVICE LIST

#### **Attorneys for Plaintiffs:**

Michael McShane
ALEXANDER, HAWES & AUDET,
LLP
300 Montgomery Street, Suite 400
San Francisco, CA 94104

Anthony Bolognese BOLOGNESE & ASSOCIATES One Penn Center 1617 JFK Boulevard, Suite 650 Philadelphia, PA 19103

Michael D. Hausfeld COHEN, MILSTEIN, HAUSFELD & TOLL, P.L.L.C. 1100 New York Avenue, N.W. Washington, D.C. 20005-3934

Linda P. Nussbaum COHEN, MILSTEIN, HAUSFELD & TOLL, P.L.L.C. 825 Third Avenue, 30<sup>th</sup> Floor New York, NY 10022

Jonathan W. Cuneo THE CUNEO LAW GROUP 317 Massachusetts Avenue, N.E. Suite 300 Washington, D.C. 20002

Neal Goldstein (Of Counsel) FREEDMAN & LORRY, P.C. 400 Market Street, Suite 900 Philadelphia, PA 19106 Dianne M. Nast RODA & NAST, P.C. 801 Estelle Drive Lancaster, PA 17601

Thomas M. Sobol Edward Notargiacomo HAGENS & BERMAN, L.L.P. 225 Franklin Street, 26<sup>th</sup> Floor Boston, MA 02110

Kevin P. Roddy HAGENS BERMAN, L.L.P. 700 South Flower Street Suite 2940 Los Angeles, CA 90017

Steve W. Berman Sean Matt HAGENS BERMAN, L.L.P. 1301 Fifth Avenue Suite 2900 Seattle, WA 98101

Michael E. Criden HANZMAN & CRIDEN, P.A. Commerce Bank Center Suite 400 220 Alhambra Cirle Coral Gables, FL 33134

Sam Heins Bryan L. Crawford HEINS, MILLS & OLSON, P.C. 700 Northstar East 608 Second Avenue South Minneapolis, MN 55402 Marc H. Edelson HOFFMAN & EDELSON 45 West Court Street Doylestown, PA 18901

Blake M. Harper Kirk B. Hulett HULETT HARPER, L.L.P. 550 West C Street Suite 1700 San Diego, CA 92101

Jonathan D. Karmel KARMEL & GILDEN 221 N. LaSalle Street Suite 1414 Chicago, IL 60601

T. David Copley
Lynn Lincoln Sarko
Mark A. Griffin
KELLER ROHRBACK, L.L.P.
1201 3<sup>rd</sup> Avenue
Suite 3200
Seattle, WA 98101

Kenneth A. Wexler KENNETH A. WEXLER & ASSOCIATES One North LaSalle Suite 2000 Chicago, IL 60602

David J. Bershad
J. Douglas Richards
Michael M. Buchman
MILBERG WEISS BERSHAD HYNES
& LERACH, L.L.P.
One Pennsylvania Plaza
New York, NY 10119

Robert E. Piper, Jr.
PIPER & ASSOCIATES
624 Pierre Avenue
Shreveport, LA 71103

Kent R. Robinson ROBINSON BELAUTEGUI SHARP & LOW 71 Washington Street Reno, NV 89503

Henry H. Rossbacher ROSSBACHER & ASSOCIATES 811 Wilshire Boulevard Suite 1650 Los Angeles, CA 90017-2666

Jonathan Shub SHELLER, LUDWIG & BADEY, P.C. 1528 Walnut Street, 3<sup>rd</sup> Floor Philadelphia, PA 19102

Scott R. Shepherd SHEPHERD & FINKELMAN, L.L.C. 117 Gayley Street, Suite 200 Media, PA 19063

Eugene Spector
Jeffrey L. Kodroff
SPECTOR, ROSEMAN & KODROFF,
P.C.
1818 Market Street, Suite 2500
Philadelphia, PA 19103

Lee Squitieri SQUITIERI & FEARON 521 Fifth Avenue, 26<sup>th</sup> Floor New York, NY 10175 Lisa J. Rodriguez
Ira Neil Richards
TRUJILLO RODRIGUEZ &
RICHARDS, L.L.C.
The Penthouse
226 West Rittenhouse Square
Philadelphia, PA 19103

Mitchell A. Toups
WELLER, GREEN, TOUPS &
TERRELL, L.L.P.
2615 Calder Street, Suite 400
P.O. Box 350
Beaumont, TX 77704

Damon Young Lance Lee YOUNG, PICKETT & LEE 4122 Texas Blvd. P.O. Box 1897 Texarkana, AR 75504

### ATTORNEYS FOR DEFENDANTS

Daniel E. Reidy James R. Daly JONES, DAY, REAVIS & POGUE 77 West Wacker Drive Chicago, IL 60601

R. Christopher Cook JONES, DAY, REAVIS & POGUE 51 Louisiana Avenue, N.W. Washington, D.C. 20001

Joseph F. Savage, Jr.
TESTA, HURWITZ & THIBEAULT,
L.L.P.
High Street Tower, 125 High Street
Boston, MA 02110
Attorneys for Abbott Laboratories and
Abbott Laboratories, Inc.

Richard D. Raskin
Bruce M. Zessar
David C. Giardina
SIDLEY AUSTIN BROWN & WOOD
Bank One Plaza
10 South Dearborn Street
Chicago, IL 60603

Robert P. Sherman Anastasia M. Fernands HUTCHINS, WHEELER & DITTMAR 101 Federal Street Boston, MA 02110 Attorneys for Allergan, Inc. and Bayer Corp. Nancy L. Newman KNAPP, PETERSEN & CLARKE 500 North Brand Boulevard 20<sup>th</sup> Floor Glendale, CA 91203

Dennis M. Duggan, Jr.
Melissa Bayer Tearney
David M. Ryan
NIXON PEABODY
101 Federal Street
Boston, MA 02110
Attorneys for Alpha Therapeutic Corp.

S. Craig Holden
Connie E. Eiseman
OBER, KALER, GRIMES &
SHRIVER, P.C.
120 East Baltimore Street
Baltimore, MD 21202

James C. Burling
William F. Lee
HALE & DORR
60 State Street
Boston, MA 02109
Attorneys for American Home Products
Corp.

Steven F. Barley Joseph H. Young HOGAN & HARTSON, L.L.P. 111 South Calvert Street Suite 1600 Baltimore, MD 21202 Frank A. Libby, Jr.
KELLY, LIBBY & HOOPES
175 Federal Street
Boston, MA 02110
Attorneys for Amgen, Inc.

D. Scott Wise Kimberley D. Harris Manisha M. Sheth DAVID POLK & WARDWELL 450 Lexington Avenue New York, NY 10017

Nicholas C. Theodorou Juliet Sorensen FOLEY HOAG, L.L.P. 155 Seaport Boulevard Boston, MA 02210 Attorneys for AstraZeneca Pharmaceuticals, L.P.

Michael L. Koon SHOOK, HARDY & BACON, L.L.P. One Kansas City Place 1200 Main Street, 26<sup>th</sup> Floor Kansas City, MO 64105

Paul S. Schleifman SHOOK, HARDY & BACON, L.L.P. 600 14<sup>th</sup> Street, N.W. Suite 800 Washington, D.C. 20005

Michael DeMarco
Jeanne E. Demers
KIRKPATRICK & LOCKHART, L.L.P.
75 State Street
Boston, MA 02109
Attorneys for Aventis Pharmaceuticals,
Inc. and Hoechst Marion Roussel, Inc.

Edward C. Duckers HOGAN & HARTSON, L.L.P. 555 13<sup>th</sup> Street, N.W. Washington, D.C. 20004 Attorneys for Aventis Behring

Merle M. DeLancey, Jr.
J. Andrew Jackson
DICKSTEIN, SHAPIRO, MORIN &
OSHINSKY, L.L.P.
2101 L Street, N.W.
Washington, D.C. 20037-1526

Peter E. Gelhaar

DONNELLY, CONROY & GELHAAR,
L.L.P.

One Beacon Street, 33<sup>rd</sup> Floor

Boston, MA 02108

Attorneys for Baxter International,
Inc.; Baxter Healthcare Corp.; Baxter

Pharmaceutical Products, Inc.

Lyndon M. Tretter Steven M. Edwards HOGAN & HARTSON, L.L.P. 875 Third Avenue 26<sup>th</sup> Floor New York, NY 10022

Thomas E. Dwyer, Jr.
Daniel J. Cloherty
DWYER & COLLORA
600 Atlantic Avenue
Boston, MA 01220-2211
Attorneys for Bristol-Myers Squibb Co;
Oncology Therapeudics Network Corp.

Ronald L. Castle
ARENT, FOX, KINTNER, PLOTKIN &
KAHN, P.L.L.C.
1050 Connecticut Avenue, N.W.
Washington, D.C. 20036
Attorney for Chiron Corp.

Stephen M. Hudspeth COUDERT BROTHERS 1114 Avenue of the Americas New York, NY 10036 Attorney for Dey, Inc.

William Davis
MINTZ, LEVIN, COHN, FERRIS,
GLOVSKY & POPEO
701 Pennsylvania Avenue, N.W.
Suite 900
Washington, D.C. 20004

Kevin M. McGinty
William M. Cowan
MINTZ, LEVIN, COHEN, FERRIS,
GLOVSKY & POPEO, P.C.
One Financial Center
Boston, MA 02111
Attorneys for Eli Lilly & Co.

Kathleen H. McGuan REED SMITH, L.L.P. 1301 K Street, N.W. Suite 1100, East Tower Washington, D.C. 20005

Michael T. Scott REED SMITH, L.L.P. 2500 One Liberty Place Philadelphia, PA 19103 S. Elaine McChesney
BINGHAM MCCUTCHEN, L.L.P.
150 Federal Street
Boston, MA 02110
Attorneys for Fujisawa Healthcare, Inc.
and Fujisawa USA

Mary Gail Gearns
BINGHAM MCCUTCHEN, L.L.P.
399 Park Avenue
New York, NY 10022
Attorney for Fujisawa Pharmaceutical
Co., Ltd.

Ethan M. Posner COVINGTON & BURLING 1201 Pennsylvania Avenue, N.W. P.O. Box 7566 Washington, D.C. 20004

Frederick G. Herold DECHERT 400 Bell Atlantic Tower 1717 Arch Street Philadelphia, PA 19103-2793

Geof Hobart
HOLLAND & KNIGHT, L.L.P.
10 St. James Avenue
Boston, MA 02116
Attorneys for Glaxo Wellcome PLC;
Flaxo Wellcome, Inc.;
GlaxoSmithKline Corp;
GlaxoSmithKline, PLC; SmithKline
Beecham Corp, d/b/a GlaxoSmithKline;
SmithKline Beecham Corp.; SmithKline
Beecham, PLC

William F. Cavanaugh, Jr.
PATTERSON, BELKNAP, WEBB &
TYLER, L.L.P.
1133 Avenue of the Americas
New York, NY 10036-6710
Attorney for Johnson & Johnson and
Centocor

David J. Burman Noah A. Levine PERKINS COIE, L.L.P. 1201 Third Avenue, 40<sup>th</sup> Floor Seattle, WA 98103

Matthew M. Strickler
BALLARD, SPAHR, ANDREWS &
INGERSOLL
1735 Market Street
51st Floor
Philadelphia, PA 19103

Thomas J. Satory Kenneth A. Sansone GOULSTON & STORRS, P.C. 400 Atlantic Avenue Boston, MA 02110-3333 Attorneys for Immunex Corp.

Scott A. Stempel MORGAN, LEWIS & BOCKIUS, L.L.P. 1111 Pennsylvania Avenue, N.W. Washington, D.C. 20004

John D. Dodds MORGAN, LEWIS & BOCKIUS, L.L.P. 1701 Market Street Philadelphia, PA 19103 Mark D. Smith
FAXON & LAREDO, L.L.P.
15 Broad Street, Suite 600
Boston, MA 02109-3803
Attorneys for Pharmacia Corp.;
Pharmacia & Upjohn, Inc.; Monsanto
Co.

Brien T. O'Connor
Kirsten V. Mayer
ROPES & GRAY
One International Place
Boston, MA 02110
Attorneys for Schering-Plough Corp.
and Warrick Pharmaceuticals

Kirke M. Hasson Reed E. Harvey PILLSBURY WINTHROP, L.L.P. 50 Fremont Street San Francisco, CA 94105

Bruce E. Falby
HILL & BARLOW, P.C.
One International Place
Boston, MA 02110-2600
Attorneys for SICOR, Inc. and Gensia
SICOR Pharmaceuticals, Inc.

Robert R. Stauffer JENNER & BLOCK, L.L.C. One IBM Plaza 330 N. Wabash, 40<sup>th</sup> Floor Chicago, IL 60611 Martin Murphy
BINGHAM MCCUTCHEN
150 Federal Street
Boston, MA 02110
Attorneys for Takeda Chemical
Industries, Ltd.

Tina M. Tabacchi
JONES, DAY, REAVIS & POGUE
77 West Wacker Drive
Suite 3500
Chicago, IL 60601
Attorney for TAP Pharmaceutical
Products, Inc. (formerly known as TAP
Holdings, Inc.)